



AF/3724  
IFW

PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: REINHOLD MAYR ET AL  
Serial No.: 09/674,205 Group No.: 3724  
Filed: October 27, 2000 Examiner: K.E. PETERSON  
For: MILL SAW

MAIL STOP AF  
Commissioner of Patents and Trademarks  
P.O. BOX 1450  
ALEXANDRIA, VA. 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed December 7, 2004, finally rejecting claim 6. Claim 8 is allowed.

The items checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

☐ other than a small entity

☒ small entity

Verified statement

☐ attached

☒ already filed on Oct. 27, 2000

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17(e), the fee for filing the Notice of Appeal is:

☒ small entity \$250.00\*

☐ other than a small entity \$500.00

\* Notice of Appeal fee of \$165.00 was paid with first Notice of Appeal filed October 9, 2003.

3. EXTENSION OF TERM

NOTE: The time periods set forth in 37 CFR 1.191 are subject to the provision of § 1.136 for patent applications 37 CFR 1.191(d). (But see 37 CFR 1.645 for extension of time in interference proceedings and 37 CFR 1.550(c) for extension of time in reexamination proceedings.)

12/16/2004 AWONDAF1 00000049 032468 09674205

01 FC:2401 250.00 DA  
02 FC:2251 60.00 DA

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP AF, COMMISSIONER FOR PATENTS, P.O. BOX 1450, Alexandria, VA 22313-1450 on December 13, 2004.

Date: December 13, 2004

Ingrid Mittendorf  
(Type or print name of person mailing paper)  
  
(Signature of person mailing paper)

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Adjustment date: 12/16/2004 AWONDAF1  
10/22/2003 RSMITH 00000006 032468 09674205  
01 FC:2401 165.00 CR

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a) X Applicant petitions for an extension of time under 37 CFR 1.17(a)-(d) for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<u>X</u> one month	\$ 120.00	\$ 60.00
<u>  </u> two months	\$ 450.00	\$225.00
<u>  </u> three months	\$ 1020.00	\$510.00
<u>  </u> four months	\$ 1590.00	\$790.00
		Fee \$ <u>60.00</u>

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- An extension for    month has already been secured and the fee paid therefor of \$    is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 60.00

or

- (b)    Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

#### 4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 85.00 (Difference)

Extension fee (if any) \$ 60.00

**FEE DUE \$ 145.00**

#### 5. FEE PAYMENT

   Attached is a check in the sum of \$   

X Charge Account No. 03-2468 the sum of \$ 145.00 (extension fee + \$ 85.00 difference)

A duplicate of this transmittal is attached.

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**6. FEE DEFICIENCY**

**NOTE:** *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.*

  X   If any additional extension and/or fee is required, charge account No.  
  03-2468   for filing second notice of appeal.

**AND/OR**

  X   If any additional fee for claims is required, charge account No.  
  03-2468  .

Reg. No.: 18,628

Tel No.: (516) 365-9802

  
\_\_\_\_\_  
SIGNATURE OF ATTORNEY

Kurt Kelman  
Type or print name of attorney

1077 Northern Boulevard  
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December 13, 2004

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